IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 13TH DECEMBER 2006 / 22ND AGRAHAYANA 1928

WP(C).No. 37008 of 2003(E)

PETITIONER:

V.S.SAJEEV KUMAR, S/O.SADASIVAN NAIR,
VELIMATTATHIL HOUSE, MANJOOR P.O.,
KOTTAYAM-686603,

BY ADV. SRI.T.B.SHAJIMON

RESPONDENTS:

NATIONAL INSURANCE COMPANY LTD.,
REPRESENTED BY ITS MANAGING DIRECTOR,
C.S.I. SQUARE, BAKER JUNCTION, SASTRI ROAD,
KOTTAYAM.

BY ADV. SRI.RAJAN P.KALIYATH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.37008/2003

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE REGISTRATION CERTIFICATE ISSUED BY THE REGISTERING AUTHORITY.

EXT.P2- COPY OF THE INSURANCE CERTIFICATE ISSUED BY THE RESPONDENT TO THE PETITIONER DT.20.1.03.

EXT.P3:- COPY OF THE DRIVING LICENSE ISSUED BY THE RTO TO THE PETITIONER DT.13.3.95.

EXT.P4:- COPY OF THE FIR PREPARED BY THE KADUTHURUTHY POLICE STATION DT. 21.10.03.

EXT.P5:- COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENT DT.6.11.03.

/TRUE COPY/

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KURIAN JOSEPH, J.

W.P.(C) No.37008 of 2003

Dated 13th December, 2006.

J U D G M E N T

The writ petition is filed mainly with the following prayers :-

> (i) "Issue a writ of mandamus directing the respondent to sanction and release the insured amount within a time limit.
>
> (ii) Issue a writ of mandamus or any other appropriate writ order or direction directing the first respondent to consider Ext.P5 representation and pass orders within a time limit."

In case the petitioner has still any grievance left in the matter, it will be open to him to approach the Insurance Ombudsman. It is made clear that in the event of the petitioner approaching the said authority, the time taken for prosecuting this writ petition shall be excluded while computing the period of limitation.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

O.P.No. of 2002

J U D G M E N T

Dated 13th December, 2006.